

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Brian Keith Nesbitt,

Plaintiff

v.

Civil Action No. 0:13-cv-02456-RMG

South Carolina Department of Corrections; Tyger
River Correctional Institution; Tim Riley, Warden
Tyger River Correctional; William R. Byars, Jr.,
Director of South Carolina Department of
Corrections; Richard Turner; John E. Ozmint; Gary
Lane; Laura Caldwell; S. Edmisten; Sgt. McMorris;
FSD Fowler; David Tatarsky,

Defendants

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ other: the plaintiff, Eddie Mack Stewart, Jr, shall take nothing of the defendant; South Carolina Department of Corrections, Tyger River Correctional Institution, Tim Riley, William R. Byars, Jr., Richard Turner, John E. Ozmint, Gary Lane, Laura Caldwell, S. Edmisten, Sgt. McMorris, FSD Fowler, David Tatarsky, from the complaint filed pursuant to 42 U.S.C. § 1983 and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Richard M. Gergel, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which dismissed the complaint without prejudice.

Date: January 8, 2014

ROBIN L. BLUME, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk